

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen J. Anderson, et al.,                      Art Unit : 3627  
Serial No. : 10/686,425    Examiner : Ramsey Refai  
Filed : October 15, 2003    Conf. No. : 7292  
Title : SYSTEM WITH AN INTERACTIVE, GRAPHICAL INTERFACE FOR  
DELIVERY OF PLANNING INFORMATION AND CONSULTING  
MATERIALS, RESEARCH, AND COMPLIANCE INFORMATION RELATING  
TO TAX OR OTHER FORMS

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents  
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REPLY BRIEF

Pursuant to 37 C.F.R. § 41.41, the response to the Examiner's Answer is as follows.

1. Applicant thanks the Examiner for withdrawing the rejections of the claims under 35 U.S.C. §112, par. 2 (Answer at page 9, par. 10). Accordingly, it is understood that the first ground of rejection to be reviewed on appeal is moot.

2. At pages 9-10 of the Answer, the Examiner alleges as follows in connection with the rejection of the claims under 35 U.S.C. §103(a):

Frank et al teach a method and system that presents an interactive depiction of map to a user (see at least column 1, lines 34-41). Frank et al fail to explicitly teach *wherein the form is a document with one or more areas for insertion of information*. However, LeBrun et al teach an image of a tax form, which is a document with one or more areas of insertion of information (see at least fig. 6). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to combine LeBrun et al. with Frank et al. because doing so would allow for information on a particular region of the tax form to be displayed. Both Frank et al and LeBrun et al are directed to the displaying of images. This combination is merely substitution of one known element for another to obtain predictable results. The image of the tax form is substituted for the image of the map in order to create a system that presents an interactive depiction of a tax form that allows a user to interact with the image of the tax form to obtain information on the different areas of a tax form.

The Examiner's remarks indicate a failure to appreciate the significant and fundamental distinction in the respective functions of Frank's interactive map, on the one hand, and LeBrun's stored documents (including digital images of tax forms), on the other hand.

As disclosed in Frank, the interactive map interface allows a user to enter part of search query via the displayed map. Specifically, interacting with the displayed map allows the user to enter a domain identifier as part of the search criteria (3:47-51). The remainder of the search is entered as a free text query using text entry tools (8:41-42). According to Frank, the targets of the query are documents stored by the system (1:41-49). The results of the query can be displayed over the map through the use of icons such that the placement of an icon on the map represents a correlation between its documents and a corresponding location on the map (9:3-5).

In contrast to Frank's map, the tax forms stored in digital format by LeBrun's system are simply examples of the type of documents that can be made available for subsequent processing, analysis and retrieval. Thus, the tax forms stored by LeBrun's system are analogous to the documents stored by Frank's system that can be the targets or results of a query. At most, a person of ordinary skill might have concluded that LeBrun's tax forms could be included among the documents stored by Frank's system and retrieved in response to a user's query submitted through the map interface 80. However, a person of ordinary skill would have had no reason to replace the interactive map in Frank's user interface 80 with a graphical depiction of a tax form. The storage and retrieval of digital documents (including tax forms) is completely different from presenting an *interactive*, graphical depiction of an image (such as Frank's map). Therefore, the Examiner's conclusion that the alleged combination of Frank and LeBrun "is merely simple substitution of one known element for another to obtain predictable results" is erroneous.

3. The Answer (at page 10) also refers to the Supreme Court's *KSR* decision. Applicant refers the Board to the remarks presented in the Appeal Brief at the bottom of page 10 to the top of page 11.

A finding of obviousness in the present case would be precisely the kind of hindsight that is improper even according to *KSR* ("A factfinder should be aware, of course, of the distortion caused by hindsight bias and must be cautious of arguments reliant upon *ex post* reasoning.").

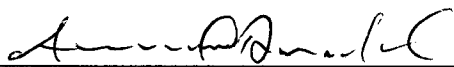
Conclusion

For the foregoing reasons, and the reasons stated in the Appeal Brief, the final rejections should be reversed.

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Respectfully submitted,

Date: 4/23/10

  
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